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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 | MADELEINE BARLOW, an individual,

NO.

11 | Plaintiff,

NOTICE OF REMOVAL TO
FEDERAL COURT

12 | v.

13 | STATE OF WASHINGTON d/b/a
Washington State University,

(CLERK'S ACTION
REQUIRED)

14 | Defendant.

15 | TO: THE CLERK OF THE ABOVE-ENTITLED COURT:

16 | PLEASE TAKE NOTICE that Defendants, STATE OF WASHINGTON d/b/a

17 | Washington State University, hereby removes to this court the state court action described below.

18 | 1.   This case alleges a violation of civil rights under Title IX of the Education

19 | Amendments of 1972 (Title IX), 86 Stat. as amended, 20 U.S.C. § 1681 *et seq.*, as well as pendant

20 | state law claims. Defendants in this matter are the STATE OF WASHINGTON d/b/a

21 | Washington State University. The Complaint has been answered by Defendants.

22 | 2.   On January 28, 2020, a Complaint was filed in the Superior Court of Washington

23 | for Thurston County, Case No. 20-2-00417-34, entitled Madeline Barlow, Plaintiff, vs. STATE

24 | OF WASHINGTON d/b/a Washington State University, Defendants.

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NOTICE OF REMOVAL TO
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ATTORNEY GENERAL OF WASHINGTON
Torts Division
7141 Cleanwater Drive SW
PO Box 40126
Olympia, WA 98504-0126
(360) 586-6300

3.   This Complaint was served upon the Defendant STATE OF WASHINGTON d/b/a Washington State University on February 4, 2020. This Notice of Removal is being filed within 30 days of the service of the Complaint on the State of Washington alleging an action under Title IX of the Education Amendments of 1972 against the above-named Defendants.

INTRADISTRICT ASSIGNMENT

4.   United States District Courts "have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States."

5.   Plaintiffs allege that Defendants violated their rights as guaranteed under laws of the United States.

6.   This court has original jurisdiction of this civil action under 28 U.S.C. § 1331 and § 1343. This action is one which may be removed to this court by Defendants pursuant to 28 U.S.C. § 1441(b), in that it is founded on a claim or right arising under federal law. This court also has supplemental jurisdiction over any state claim pursuant to 28 U.S.C. § 1367.

7.   The Western District is an appropriate venue as the judicial district that embraces the place in which the action is pending; Venue also may be appropriate in the Eastern District of Washington.

RESERVES AND IMMUNITY

8.   Defendants reserve all rights and defenses, and this notice is made without waiving any defenses Defendants may have in response to this lawsuit.

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SUPPORTING DOCUMENTS

9.   In compliance with 28 U.S.C. § 1446(a) and RCW 4.14.020, Defendants will file

copies of all process, pleadings and orders served upon it in this case within the twenty (20) day

deadline and with the appropriate verification of authenticity.

DATED this 28th day of February 2020.

ROBERT W. FERGUSON
Attorney General

/s/ Brian J. Baker
BRIAN J. BAKER, WSBA No. 54491
Assistant Attorney General
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Olympia WA 98504-0126
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Attorney for Defendant

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CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of February, 2020, I caused to be electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Meaghan Driscoll, mdriscoll@connelly-law.com
Amanda Searle, asearle@connelly-law.com
Connelly Law Offices, PLLC
2301 North 30th St.
Tacoma, WA 98402
(253) 593-5100

DATED this 28th day of February 2020.

ROBERT W. FERGUSON
Attorney General

/s/ Brian J. Baker
BRIAN J. BAKER, WSBA No. 54491
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Attorney for Defendant

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